

SENATE BILL NO. 276

INTRODUCED BY AKLESTAD, MANUEL

IN THE SENATE

January 24, 1983	Introduced and referred to Committee on Natural Resources.
February 1, 1983	Committee recommend bill do pass. Report adopted.
February 2, 1983	Bill printed and placed on members' desks.
February 3, 1983	Second reading, do pass.
February 4, 1983	Correctly engrossed.
February 5, 1983	Third reading, passed. Ayes, 46; Noes, 0. Transmitted to House.

IN THE HOUSE

February 7, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 14, 1983	Committee recommend bill be concurred in. Report adopted.
March 18, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in.

IN THE SENATE

March 21, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. *276*
2 INTRODUCED BY *ANLESTAD Manuel*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 85-7-1710, MCA, TO PROVIDE THAT THE BOARD OF COMMISSIONERS
6 OF AN IRRIGATION DISTRICT MAY BY RESOLUTION ESTABLISH THAT
7 DISTRICT VOTES ARE TO BE CAST BY 1-ACRE RATHER THAN BY
8 40-ACRE BLOCKS."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 85-7-1710, MCA, is amended to read:

12 "85-7-1710. Qualification of electors and nature of
13 voting rights. (1) At all elections held under the
14 provisions of this part, except as otherwise expressly
15 provided, the following holders of title or evidence of
16 title to lands within the district, herein designated
17 electors, are entitled to vote:

18 (a) all individuals having the qualifications of
19 electors under the constitution and general election laws of
20 the state, except that no registration of electors may be
21 required;

22 (b) guardians, executors, administrators, and
23 trustees;

24 (c) domestic corporations, by their duly authorized
25 agents.

1 (2) In all elections held under this part, each
2 elector is permitted to cast one vote for each 40 acres of
3 irrigable land or major fraction thereof owned by the
4 elector within the district, irrespective of the location of
5 the irrigable lands within the tracts designated by the
6 commissioners for assessment and taxation purposes or within
7 congressional subdivisions, platted lots or blocks (except
8 as hereinafter provided for), election precincts, or
9 district divisions, but any elector owning any less than 40
10 acres of irrigable land is entitled to one vote. Until the
11 irrigable area under the proposed plan of reclamation is
12 determined, all land included within the boundaries of the
13 district shall be considered irrigable land for election
14 purposes.

15 (3) Whenever land is owned by co-owners, the owners
16 may designate one of their number or an agent to cast the
17 vote for the owners, and one vote only for each 40 acres of
18 irrigable land or major fraction thereof may be cast by the
19 voting co-owner or agent. Whenever land is under contract of
20 sale to a purchaser residing within the state, the purchaser
21 may vote on behalf of the owner of the land. When voting,
22 the agent of a corporation or co-owners, the co-owner
23 designated for purpose of voting, or the purchaser of land
24 under contract of sale, as the case may be, shall file with
25 the secretary of the district or with the election officials

1 a written instrument of his authority, executed and
2 acknowledged by the proper officers of the corporation, by
3 the co-owners, or by the owner of land under contract of
4 sale, as the case may be, and thereupon the agent or
5 co-owner or purchaser, as the case may be, is an elector
6 within the meaning of this part. Whenever the total
7 irrigable acreage within any one district has been platted
8 or subdivided into lots or blocks to the extent of 5% or
9 more of the total acreage of the district or whenever the
10 majority of the district board adopts a resolution allowing
11 it, each elector is permitted to cast one vote for each acre
12 of irrigable land or major fraction thereof owned by the
13 elector within the district, irrespective of the location of
14 such irrigable lands within the tracts designated by the
15 commissioners for assessment and taxation purposes or within
16 the congressional subdivisions, but any elector owning any
17 less than 1 acre of irrigable land within the district is
18 entitled to one vote. The balloting shall take place in the
19 following manner: 10 votes or less, separate ballots will be
20 used; more than 10 votes, the elector shall vote in blocks
21 of 10 using one ballot for each 10 votes and separate
22 ballots for odd votes over multiples of 10."

-End-

Approved by Committee
on Natural Resources

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2 acknowledged by the proper officers of the corporation, by
3 the co-owners, or by the owner of land under contract of
4 sale, as the case may be, and thereupon the agent or
5 co-owner or purchaser, as the case may be, is an elector
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7 irrigable acreage within any one district has been platted
8 or subdivided into lots or blocks to the extent of 5% or
9 more of the total acreage of the district or whenever the
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